CALIFORNIA FARM BUREAU FEDERATION

NATURAL RESOURCES AND ENVIRONMENTAL DIVISION

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February 6, 2006
Submitted electronically to:
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NEPA Draft Report Comments
c/o NEPA Task Force
Committee on Resources
1324 Longworth House Office Building
Washington, DC

Re: Comments on the Initial Findings and Draft Recommendations by the Task Force on Improving the National Environmental Policy Act and Task Force on Updating the National Environmental Policy Act

Dear Resources Committee Members:

The California Farm Bureau Federation ("Farm Bureau") appreciates this opportunity to provide comments and suggestions pertaining to the above-referenced Task Force report. The Farm Bureau is a non-governmental, non-profit, voluntary membership California corporation based in Sacramento and represents more than 88,000 members throughout California, including more than 34,000 farm families. The Farm Bureau's purpose is to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable food and fiber supply through responsible stewardship of California's resources. Our members are very concerned about the loss of agricultural resources, in particular land and water, because agricultural resources are finite resources whose loss creates a significant environmental impact which must be avoided, reduced or mitigated to a level of insignificance.

Further, on behalf of our ranching members who obtain permits to graze their herds on public lands, it is important that the NEPA process help facilitate rangeland management strategies, rather than hinder them. Grazing allotments on public lands are critical to the economic viability of ranches, especially where there is not enough forage or private land available to support range livestock operations. For example, many range cattle operations in California's Central Valley would face closure without the supplemental feed that is provided by their grazing allotments. The Farm Bureau thanks the Committee for its work in improving and updating the National Environmental Policy Act ("NEPA") and for this opportunity to provide comments on the Initial Findings and Draft Recommendations.

It is clear that agricultural resources are a part of the environment subject to NEPA. The Council on Environmental Quality ("CEQ"), in its August 20, 1980 directive to federal agencies, stated:

> If an agency determines that a proposal significantly affect[s] the quality of the human environment, it must initiate the scoping process . . . to identify those issues, including *effects on prime or unique agricultural lands*, that will be analyzed and considered, along with the alternatives available to avoid or mitigate adverse effects. . . . The effects to be studied . . . include 'growth inducing effects and other effects related to induced changes in the pattern of land use . . . cumulative effects . . . mitigation measures . . . *to lessen the impact on . . . agricultural lands*.

45 F.R. § 59189 (emphasis added). Pursuant to this CEQ guidance, federal projects are obligated to consider impacts to agricultural resources. *Id*.; *see also* 45 F.R. § 59189 (requiring government during scoping process to "identify those issues, including *effects on prime or unique agricultural lands*, that will *be analyzed and considered, along with the alternatives available to avoid or mitigate adverse effects*") (emphasis added). With this in mind, the Farm Bureau provides the following comments:

Recommendation 1.1: Amend NEPA to define "major federal action." The Farm Bureau is concerned that many agencies will take advantage of this proposed amendment to use categorical exclusions on projects that convert agricultural resources to other uses by claiming they are not "major federal actions," and therefore, not subject to NEPA analysis. In addition to including "substantial planning, time, resources or expenditures" to determine whether a federal action is "major," the resources being impacted should also be included. For example, a project that converts prime or important farmland to another use should be defined as "major" so that a proper environmental analysis is conducted pursuant to NEPA. At the same time, it would be inefficient to require a full NEPA review every 10 years for individuals who hold grazing permits on federal lands. This process actually delays the continuation of rangeland restoration and successful public lands management. In those circumstances, a 10-year review should not be considered a "major federal action."

Recommendation 1.2: Amend NEPA to add mandatory timelines for the completion of NEPA documents. The Farm Bureau agrees with the Committee's findings that the NEPA process is often too long. However, the Farm Bureau is concerned that in an effort to meet the expedited completion times, many agencies will look to exempt projects that convert agricultural resources. Additionally, in order to meet the deadlines, environmental documents may include an incomplete analysis of the impacts of the projects as well as the proposed mitigation measures to deal with them. Therefore, the proposed amendment must not forego complete analysis to achieve a faster completion time.

Recommendation 1.3: Amend NEPA to create unambiguous criteria for the use of Categorical Exclusions (CE), Environmental Assessments (EA) and Environmental Impact Statements (EIS). In the Farm Bureau's experience, many federal agencies invoke categorical exclusions because they do not believe (or do not care) that

agricultural resources are part of the environment subject to NEPA. The Farm Bureau recommends that categorical exclusions should only be utilized in very limited situations not involving the conversion of agricultural resources to non-agricultural uses, like a public park or wildlife refuge or any other use that precludes agriculture, or has a potentially significant impact to any other resource.

Additionally, the Farm Bureau recommends that categorical exclusions be allowed to include temporary activities such as the relocation of displaced cattle to vacant allotments during the rest period associated with Sagebrush Steppe restoration in the Modoc National Forest. This restoration project will require that cattle be removed from active allotments for extended periods of time throughout the treatment. Rather than increase the number of Animal Unit Months ("AUM"), it would be environmentally sensible to utilize the adjacent vacant allotments. By allowing the vacant allotments to be grazed, it will spread the fixed amount of environmental impacts from current use over a broader landscape. This will allow use to be kept at the conservation levels agreed to in the Forest Plans, and cattlemen won't be faced with a decision of rangeland restoration versus large scale herd reductions. The use of vacant allotments as a "temporary activity" will benefit the environment, wildlife, government agencies, and public lands permittees.

Recommendation 1.4: Amend NEPA to address supplemental NEPA documents. The Farm Bureau agrees that clear and consistent rules for supplementation are needed. Tighter guidelines for supplementation also are needed. However, this does not mean supplementation should not occur when appropriate. While "reopening" is no doubt an inconvenience, it is sometimes a necessity if NEPA's informational goals are to be fulfilled. This has been demonstrated time and again in the recent history of California water, where on-going agency deliberations are routinely thrown into disarray by the radically differing terms of 'back room' deals struck at the eleventh hour of the NEPA process. This creates great uncertainty and anxiety on all sides and has placed the agencies numerous times in the awkward position of defending a decision or mode of operation that is inconsistent with the public process that was supposed to underlie and validate a particular course of action. As suggested, clear standards on supplementation (including, perhaps, specific timelines, triggers, thresholds, and guidelines as to scope and content) should be made an explicit part of NEPA, and the applicability of these standards should be unambiguous. This necessary measure of certainty would preclude both the claims of groups who would unreasonably pursue endless rounds of review and the objections of agencies that might otherwise decline to revisit an initial decision where significant changed circumstances make such re-visitation necessary.

Recommendation 2.1: **Direct CEQ to prepare regulations giving weight to localized comments.** The Farm Bureau agrees whole-heartedly with this recommendation. Often, when federal projects convert agricultural resources to non-agricultural uses (such as wildlife habitat), agencies are more sensitive to the views of "public interest" groups rather than the farmers whose resources are actually being affected. Farmers are excellent stewards of the land and their expertise and experience regarding environmental impacts on agricultural resources should be given more weight than the views of an

outside person or group, especially when it is the farmers' land that is being impacted. The Farm Bureau's policy emphasizes the role of local grazing permittees and others who have contractual obligations to manage resources on public lands.

Recommendation 2.2: Amend NEPA to codify the EIS page limits set forth in 40 CFR 1502.7. The Farm Bureau agrees with this recommendation to shorten the environmental review process and increase public involvement. It is unacceptable that CEQ guidelines and guidance expressly specify a maximum length of 150 to, at most, 300 pages, and a completion time of 12 months, yet the average length and preparation time for documents currently produced far exceeds both limits. The Farm Bureau agrees that a centralized oversight and monitoring function be instituted for these and perhaps other aspects of the NEPA process. Additionally, the Farm Bureau recommends that a federal NEPA clearinghouse, housed within an oversight authority, as well as a wider and more systematic electronic distribution of environmental documentation, be created to better facilitate public involvement in the NEPA process. When combined with clear due process and exhaustion of remedies requirements and improved congressional and regulatory guidance on current ambiguities in the law, such improved mechanisms of public disclosure and transparency with respect to federal action would not expose agencies to more frequent challenges, but rather lead to greater collaboration, more frequent resolution of contentious issues outside of court, and less vulnerability to frivolous litigation.

Contrary to the fears of some who have opposed this inquiry, the Farm Bureau believes that requiring agencies to prepare short documents within a short period of time could, in fact, make agencies more likely in certain instances, to take NEPA's requisite 'hard look' where it is warranted, thus improving opportunities for informed decision-making and public involvement overall. For example, agencies might be less inclined to improperly invoke a categorical exclusion where a proposed federal action would result, either directly or cumulatively, in the conversion of agricultural resources, and more likely to properly disclose potential environmental impacts in an EA/FONSI or EIS, if only the required documentation were more manageable and the agency might reasonably expect some clear endpoint in the process.

Recommendation 3.1: Amend NEPA to grant tribal, state and local stakeholders cooperating agency status. Often, when projects affect agricultural resources, the farmers who are impacted are too busy farming to fully participate in the litigation process. In those instances, they look to organizations such as the Farm Bureau to protect and defend their interests. The Farm Bureau, as a representative of the local farming interests, should be granted cooperating agency status to ensure its members' interests are adequately represented.

Recommendation 3.2: Direct CEQ to prepare regulations that allow existing state environmental review process to satisfy NEPA requirements. The Farm Bureau supports the idea of reducing duplicative environmental analysis, paperwork and process. However, for projects in California that are subject to both NEPA and California Environmental Quality Act ("CEQA"), federal agencies should recognize that NEPA

regulations explicitly state agricultural resources are a part of the environment subject to NEPA (see above-cited 1980 CEQ Memo). There is some debate within California state agencies regarding whether the CEQA requires the same. Therefore, to the extent the state agencies fail to treat impacts to agricultural resources as environmental impacts, the NEPA analysis should not duplicate that approach.

Recommendation 4.1: Amend NEPA to create a citizen suit provision. The proposed citizen suit standard regarding "best available information and science" appears similar to the existing standard for current laws such as the Clean Water Act, the Clean Air Act, and the Endangered Species Act. However, a potential problem is that, whereas agency actions taken under the aforementioned statutes depend, to a significant extent, on "best available information and science," the NEPA process has always operated as a much more straightforward administrative exercise. In this sense, it is not clear that the "best available information and science" would be necessary or adequate to support an agency's design of alternatives, analysis of impacts, and selection of a preferred course of action, or how a party might show such analysis was lacking.

Currently, agencies seeking to comply with NEPA are not required to consider "best available information and science" to support a final decision, but rather only propose alternatives and analyze the relative environmental consequences, not to any particular standard of scientific rigor or informational quality, but rather only in sufficient detail to inform the public and provide a rationale for final agency action. Thus, to require "best information and science" may set too high a standard not only for potential litigants, but also for the agencies themselves to meet. Until this concept can be further clarified, the Farm Bureau recommends that the citizen suit provision for NEPA adopt a standard similar to the Administrative Procedure Act's ("APA") current "arbitrary and capricious standard" and "abuse of discretion" standards. At the same time, a distinct advantage that justifies a citizen suit provision separate from the APA is that it might prescribe various exhaustion and standing criteria of the kind suggested in the recommendation in order to encourage the resolution of conflicts short of lengthy litigation.

With regard to the "exhaustion of remedies" recommendation, please be advised that farmers are often too busy to review the Federal Register for notices of intent to prepare an EIS. They also are often excluded from scoping meetings and other proceedings under the mistaken agency view that their agricultural resources are not part of the environment subject to NEPA. Therefore, the Farm Bureau recommends that if an exhaustion of remedies proposal is included, there be clear guidelines established which allow organizations such as the Farm Bureau to participate in the process with their individual members.

The Farm Bureau agrees that a project subject to NEPA may affect parties differently and that if one party sues and settles, that should not affect any other party's right to file suit over the same project. This recommendation should be drafted to compliment the current procedural court rules related to motions to intervene and motions

for joinder. Therefore, the goal would be greater NEPA efficiency and judicial economy since all parties will rely on the same administrative record.

The Farm Bureau does not oppose the recommended 180-day period of limitations for challenging an environmental decision.

Recommendation 4.2: Amend NEPA to add a requirement that agencies "pre clear" projects. The Farm Bureau has no position on this recommendation.

Recommendation 5.1: Amend NEPA to require that "reasonable alternatives" analyzed in NEPA documents be limited to those which are economically and technically feasible. The Farm Bureau agrees that including this recommendation in a definitive NEPA reform package would address many of the problems associated with the Act in its current form, including excessive litigation, cost, delays, and uncertainty. Agencies and project applicants should not engage in the wasteful exercise of considering alternatives that do not accomplish the fundamental objectives of a project in a way that is economically and technically feasible. The Farm Bureau recommends that the distinction between a feasible and a technically and/or economically feasible project should be determined on the basis of existing quantitative methodologies long employed by economists and engineers in other areas. NEPA should be amended to ensure that such evaluations are used to streamline subsequent feasibility studies and cost-benefit analyses that currently face any agency that proposes to improve or maintain necessary water infrastructure in the state of California and elsewhere in the West. Furthermore, to reduce ambiguities that might foster litigation, as well as excessive delays, clear criteria and procedures regarding the initial scoping and screening of draft alternatives leading up to a short list of alternatives should be subjected to the more rigorous quantitative level of evaluation described above. These procedures should be as clear for the public as they are for the agencies to avoid impasses and differing expectations that a court must later sort out.

Recommendation 5.2: Amend NEPA to clarify that the alternative analysis must include consideration of the environmental impact of not taking an action on any proposed project. When preparing environmental analyses, most agencies generally interpret the existing regulations in such a way that the "no action" alternative typically is examined in some detail, and not merely listed relative to the agencies' proposed action alternatives. In this context, federal agencies increasingly consider the *beneficial* impacts of a project on balance with the project's *adverse* impacts. However, the traditional focus of NEPA has been on the *adverse* impacts of a project that are often more rigorously quantified and examined, whereas the alleged beneficial impacts of a project are often merely assumed to exist, without any attempt at quantification or objective analysis on a scale proportionate to the agencies' analyses of the adverse impacts.

The Farm Bureau has observed that for federal projects that convert agricultural resources to non-agricultural use, agencies often assume, without reliable supporting analysis, either that various benefits will accrue to California agriculture so as to negate the potential adverse impacts of a project on agricultural resources, or that certain

proposed alternative uses of agricultural land and water resources (for example to provide habitat for fish and wildlife) are inherently superior to the existing uses of those resources and, thus, need not be examined in other than social and economic terms. Therefore, the Farm Bureau recommends that where a beneficial impact is thought to occur, an agency's analysis must treat different resources equally without prejudgment. Agencies must not discard, without analysis, the possibility that what is perceived to be a beneficial impact on one set of resources may have a corresponding adverse impact on another set of resources. Finally, where beneficial effects are thought to occur, those beneficial effects should be quantified at the same level of detail as the adverse impacts of a project and reconciled with and systematically compared to the latter.

Recommendation 5.3: Direct CEQ to promulgate regulations to make mitigation proposals mandatory. The Farm Bureau agrees whole-heartedly with this recommendation and strongly urges that it be made a necessary part of any final NEPA reform package. Where the mitigation measures included in an agency's environmental document fail to include adequate performance measures -- such as specific actions the agencies will perform, timing, and other assurances to ensure effective abatement of potentially significant adverse impacts -- it is only reasonable that the agency should be elsewhere obligated to commit to a binding plan of action wherein these critical details are set forth. If, on the other hand, the agency has made mitigation for a given impact an express part of its alternatives selection process, or where the agencies' environmental document, includes concrete performance measures and other assurances that proposed mitigation will occur, a separate document would not be required. Importantly, the net result would be the same: Either the design of the agency's selected alternative itself constitutes a sufficient guarantee that a particular adverse effect will be reduced to non-significance, or remaining impacts of the proposed action will be guaranteed by means of the agency's commitment to specific actions, either in the agency's environmental document, or in a separate document, such as a binding mitigation and monitoring plan. This is similar to the currently applicable standard under CEQA. Overall, NEPA's current lack of enforceable mitigation is a severe weakness of the present law and one that must be rectified to ensure the law's effectiveness.

On a related note, we have observed over a period of years that, where California State agencies have deferred mitigation identified in a programmatic document to implementation at the project-specific level (particularly, with respect to future impacts on agricultural uses of land and water), these agencies have often subsequently evaded the need to undertake any mitigation for direct and cumulative impacts at all by routinely excluding those projects from any form of environmental review. Since, whether direct or cumulative, the probable impact of such projects on agricultural land and water is never examined for those projects, the effect of this practice over time is that the agency at no time fulfills its commitment at the programmatic level to mitigate for the impacts.

To remedy this grave deficiency for federal projects, NEPA's categorical exclusions must, as a general rule, not apply to projects that may result in a foreseeable significant direct or cumulative effects on existing agricultural resources. Whether such effects are likely to occur can be determined objectively through uniform application of

the Natural Resources Conservation Service's ("NRCS") Land Evaluation and Site Assessment ("LESA") model to determine in the first instance whether potentially affected lands are classified as important farmland. The regulations should be clear that NEPA's exclusions must not apply to agricultural lands and associated water rights, even where the federal nexus is the mere direct or indirect funding of an initial acquisition of land, where the clear intent of an acquisition is to convert agricultural resources to other uses and the impacts to those resources is potentially significant.

Second, as to the manner in which agencies mitigate (or fail to mitigate) for projects tiering from a larger program, the Farm Bureau recommends that, if a proposed site-specific action that derives funding from a larger program may foreseeably impact a resource that was identified at the program level as an area that might be cumulatively impacted at a level of potential significance, the guidelines should provide that such a tiered project is subject to a more elevated level of scrutiny than might be the case were the project undertaken in isolation from a larger program.

Finally, to ensure a better assessment of the potential cumulative effects of many projects of a similar kind at a sub-program level, the guidelines should afford agencies the option of preparing a second-tier document to comprehensively examine and address the potential impacts of such actions at a level of detail that substantially exceeds the underlying programmatic document, while remaining significantly more general than a project-level review. As to the appropriate level of detail, such a document would, for example, identify a range of potential actions that is adequately specific to enable both agency and public alike to grasp the scope and magnitude of potential impacts and to assess the feasibility of specific mitigation at a greater level of specificity than might, perhaps, have been possible at the general programmatic level. Where an agency adequately involves the public, by adhering to a set of clear procedural steps, and addresses the previously identified potential cumulative impacts of a long-term program or plan at this intermediate level of detail, the guidelines could relax somewhat the amount of subsequent, project-level review for third-tier, project-level actions covered in the sub-program-level review. In this manner, NEPA review for long-term programmatic actions would follow a stepped-down continuum, not from the general program directly to the project level, but rather similar to the nested approach employed in local land use planning -- from the general, to the specific, to the permit level. We believe such an approach would serve the interests of governmental agencies in terms of efficiency, full disclosure, and certainty, as well as the interests of the public with respect governmental accountability and environmental protection.

Separately, the Farm Bureau also is concerned with the final sentence of Recommendation 5.3: Where a private applicant (i.e., grazing permittee) is involved, the legally enforceable conditions should be limited to the achievement of resource condition prescriptions already included in the application decision. These compliance standards (such as stubble height, streambank alteration, and woody vegetation use) are used to review and assess the permittee's performance. The permittee/private applicant should not be held to another set of standards related to mitigation activities. If a grazing decision is issued with mitigation for some type of improvement (i.e., development of

uplands solar wells to keep cattle away from a sensitive creek), and that improvement is not completed for reasons beyond the permittee's control, the "legally enforceable" clause should not cause grazing to be stopped.

Recommendation 6.1: Direct CEQ to promulgate regulations to encourage more consultation with stakeholders. The Farm Bureau recommends a stratification of stakeholders who should be involved in the NEPA process. A party who has a responsibility to perform under a decision (i.e., public lands grazing permittee) should have more consultation opportunities than a party who is merely interested in the issue. As a logistical observation only, the regulations will have to clearly define "stakeholder" and "interested parties" who would have a right to "consultation," as well as the precise meaning of "consultation" in this context.

Recommendation 6.2: Amend NEPA to codify CEQ regulation 1501.5 regarding lead agencies. The Farm Bureau has no position on this recommendation.

Recommendation 7.1: Amend NEPA to create a "NEPA Ombudsman" within the Council on Environmental Quality. The Farm Bureau agrees with this recommendation.

Recommendation 7.2: Direct CEQ to control NEPA related costs. The Farm Bureau agrees whole-heartedly with this recommendation.

Recommendation 8.1: Amend NEPA to clarify how agencies would evaluate the effect of past actions for assessing cumulative impacts. This proposed amendment is absolutely essential to establish a common point of reference from which to evaluate any proposed action. In California, for example, a lack of clarity with respect to a change in accounting for Central Valley Project Improvement Act "(b)(2) water," as well as various other complexities, has confounded the baseline for at least one on-going water management program of statewide significance. While this change resulted in a major downward revision in the environmental baseline, with a corresponding impact on water supplies for out-of-stream beneficial uses, this was not clearly disclosed as a significant change in the original baseline whose effect was to significantly alter the nature and scope of the proposed action. At the same time, baseline issues can be both complex and controversial. With this in mind, the guidelines should direct the agencies to employ, where possible, mathematical models and other objective data to establish baseline conditions, and not political considerations or assumptions lacking support by a significant consensus of the scientific community.

Recommendation 8.2: Direct CEQ to promulgate regulations to make clear which types of future actions are appropriate for consideration under the cumulative impacts analysis. The Farm Bureau agrees that a more concrete set of the criteria concerning the range of future actions an agency's cumulative impacts analysis should consider could keep many actions out of court by establishing a far less ambiguous set of requirements. However, having engaged in lengthy disputes involving, in part, the failure of agencies to consider the cumulative impacts of numerous existing programs and

projects on agricultural resources in California, we must also caution against a low standard on cumulative impacts. Whatever criteria the CEQ may finally select, the Farm Bureau recommends that these criteria take into account the prevailing views of the courts in terms of those factors that have been previously thought to define an action as sufficiently "concrete" to warrant inclusion in an agencies' cumulative impacts analysis. In contrast, a standard that seeks greater transparency and objectivity should perhaps exclude the views of courts that have over-extended the existing "reasonably foreseeable" standard on the basis of factors lacking sufficiently clear definition in terms of imminence and concrete effect.

Recommendation 9.1: CEQ study of NEPA's interaction with other Federal environmental laws. The Farm Bureau agrees with this recommendation.

Recommendation 9.2: CEQ Study of current Federal agency NEPA staffing issues. The Farm Bureau agrees with this recommendation.

Recommendation 9.3: CEQ study of NEPA's interaction with state "mini-NEPAs" and similar laws. The Farm Bureau agrees with this recommendation.

2003 Task Force Report

In the broader context of the on-going debate that has fueled the present NEPA Task Force report, the Farm Bureau also comments on the September 2003 report to the CEQ, prepared by an earlier NEPA Task Force formed in 2002 and released under the title "Modernizing NEPA Implementation." In this regard, the Farm Bureau recommends that the current Task Force, and any subsequent reviews of the NEPA process, remain cognizant of a number of important issues raised in the earlier report. In particular, the September 2003 Report devoted entire chapters to the issues of "Federal and Intergovernmental Collaboration," "Programmatic Analyses and Tiering," "Adaptive Management and Monitoring," "Categorical Exclusions," and "Environmental Assessments." Furthermore, the 2003 Task Force Report made recommendations and examined in less detail issues in several "Additional Areas of Consideration," including "Legal Standards of Review," "Effects Analysis," "Supplemental Reviews," "Delegation of NEPA Responsibilities," "Coordinating Compliance with Other Laws," "Alternatives," "Social, Cultural, and Economic Analyses," and "Disputes and Post-decisional Reviews."

As to the major topics of discussion in the earlier Task Force Report, as noted above (i.e., "Federal and Intergovernmental Collaboration," "Programmatic Analyses and Tiering," "Adaptive Management and Monitoring," "Categorical Exclusions," and "Environmental Assessments"), the Farm Bureau's direct experience with NEPA in the litigation context confirms that all are important areas of inquiry. Regarding "Programmatic Analyses and Tiering" and "Adaptive Management and Monitoring," specifically, the Farm Bureau generally concurs with the 2003 Report's assessment that both are areas in need of clearer guidance. As to the applicability of "Categorical Exclusions" under NEPA and the preparation of EAs, the Farm Bureau favors a more

consistent and updated application of the former and with the clearer requirements proposed for the latter. In particular, as stated elsewhere in these comments with respect to the federal agencies' use of categorical exclusions, we believe the CEQ guidelines—or NEPA itself—should be amended to clarify that categorical exclusions are generally not applicable to proposed actions that will result directly or indirectly in the conversion of existing agricultural land and water uses.

Finally, with respect to various "Additional Areas of Consideration" addressed in the 2003 report, we believe that several areas of 'overlap' from the 2003 report complement and supplement topics addressed in the current Task Force Report, while others (including "Social, Cultural, and Economic Analyses") are topics not included in the current report's focus, but that we believe should remain a part of the overall debate going forward. Of particular concern to our organization, the Farm Bureau directs this Task Force's attention to the earlier report's recommendation regarding the need for clearer guidance regarding analyses of social, cultural, and economic analyses in the NEPA process—including, from our perspective, the need for specific guidance relating to the potential nexus between purely economic impacts and related environmental impacts, such as agricultural land conversion impacts that may stem from a weakening of the underlying social and economic support structures required to sustain such agricultural resources.

Once again we would like to express our thanks to the Committee for considering these comments. If we can provide any further information or clarification, please do not hesitate to call John R. Weech at 916-561-5665.

Sincerely,

/s/ John R. Weech

John R. Weech

cc: Doug Mosebar
George Gomes
Jack King
Rick Krause
Joe Findaro